

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Morton M. Mower, M.D.

Serial No.: Not yet assigned Group Art Unit:

Filed: herewith Examining Attorney:

For:

AUGMENTATION OF ELECTRICAL CONDUCTION AND CONTRACTILITY BY BIPHASIC CARDIAC PACING ADMINISTERED VIA THE CARDIAC BLOOD POOL

**DECLARATION AND POWER OF ATTORNEY--CO-PENDING APPLICATION
CONTAINING ADDITIONAL SUBJECT MATTER**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **AUGMENTATION OF ELECTRICAL CONDUCTION AND CONTRACTILITY BY BIPHASIC CARDIAC PACING ADMINISTERED VIA THE CARDIAC BLOOD POOL**, the specification of which is attached hereto.

This application in part discloses and claims subject matter disclosed in my earlier filed pending application, Serial No. 09/008,636, filed 01/16/98 (pending). I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which

occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No. 09/008,636, Filed 01/16/98, Status-pending

Application Serial No. 08/699,552, Filed 08/19/96, Status-now US Patent No. 5,871,506

Power of Attorney: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


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Date: 10/9/2003